

REMARKS

Claims 13-15 and 17-25 are pending in this application. By this Amendment, claims 13, 15, 18 and 23 are amended, claim 16 is cancelled, and claims 24 and 25 are added. No new matter is added.

The courtesies extended to Applicant's representative by Examiner Lopez at the personal interview held February 6, 2008, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview.

I. Allowable Claims

Applicant appreciates the Office Action's indication that claims 16, 18-19 and 21-22 would be allowable if rewritten in independent form. As discussed below, Applicant submits that claims 13-15 and 17-25 are allowable.

II. Reference Characters 90 and 92

The Office Action objects to the drawings and requests that the path measuring system 90 and pressure measuring system 92 be identified as "position sensor" and "pressure sensor", respectively.

By this Amendment, Fig. 1 is amended as required by the Office Action. Applicant requests withdrawal of the objection.

III. The Claims Are Definite

The Office Action rejects claims 13-23 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite.

By this Amendment, claim 13 is amended to remove the cited phrases.

Regarding claim 15, the Office Action alleges that there is no support for a "blanking and nibbling machine", citing to page 5, lines 13-14 of the specification, which discloses "blanking, or nibbling machines". However, the Office Action is incorrect. The specification

as filed, for example, supports blanking and nibbling machines at page 15, line 6, in original claim 1, and in the Abstract.

The March 5, 2008 Advisory Action alleges that the specification recites both "blanking and nibbling machine" and "blanking or nibbling machine" and alleges that this supports the rejection of claim 15. However, the specification clearly indicates that the claimed subject matter can be applied to many different types of machines including "blanking machines" (page 1, line 12); "nibbling machines" (page 1, lines 12-13); "blanking or nibbling machines" (page 2, line 8; page 5, line 13); and "blanking and nibbling machines" (page 15, line 6; original claim 1; and Abstract). There is no indefiniteness associated with reciting that the claimed subject matter is useable with more than one kind of machine.

By this Amendment, claim 15 is amended to recite "blanking machine, nibbling machine, or blanking and nibbling machine." Support exists, for example, in the sections cited above.

Applicant requests withdrawal of the rejection.

IV. The Claims Are Patentable Over The Applied References

The Office Action rejects claims 13-14, 17, 20 and 23 under 35 U.S.C. §103(a) over European Patent Publication No. EP 1310346 A1 to Dantlgraber (Dantlgraber '346) in view of U.S. Patent No. 2,368,659 to Heineck et al. (Heineck). Applicant respectfully traverses the rejection.

By this Amendment, independent claim 13 is amended so that the "hydraulic force transmitting element" has a small primary piston and a large secondary piston. The small primary piston and the larger secondary piston are originally disclosed at, for example, page 1, paragraph 3 of the English specification as filed. Further by this Amendment, claim 13 is amended to recite the features of prior claim 16.

As agreed at the personal interview, claim 13 is patentable for the same reasons prior, allowable claim 16 was patentable.

For the foregoing reasons, the claims are patentable over the applied references.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:JHB/jhb

Attachments:

Request for Continued Examination
Petition for Extension of Time
Replacement Sheet

Date: April 15, 2008

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